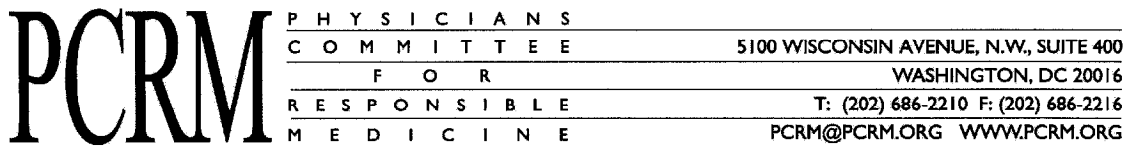


201-15432



July 6, 2004

Michael O. Leavitt, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building, 1101-A
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

04 JUL -7 17:10:20
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OFFICE OF
ADMINISTRATION

Subject: Comments on the HPV Test Plan for 3,6-dichloro-2-trichloromethylpyridine

Dear Administrator Leavitt:

The following comments on Dow's test plan for the chemical 3,6-dichloro-2-trichloromethylpyridine are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than ten million Americans.

Dow AgroSciences LLC submitted its test plan on December 18, 2003, for the chemical 3,6-dichloro-2-trichloromethylpyridine (CAS No. 1817-13-6). This chemical is grouped with chloropyridines, which are used in the production of chlorinated pesticides. Although Dow has submitted a test plan that is very brief and lacks significant detail, we are pleased to see that Dow has considered both hazard and exposure potential in its analysis of 3,6-dichloro-2-trichloromethylpyridine toxicity. Dow states that the potential for human exposure is "extremely low" and that "additional testing would be unlikely to change safe handling recommendations for this material." Despite our concerns with previous test plans submitted by Dow Chemical Company, in this instance, we concur with Dow AgroSciences that no animal testing is required for this chemical under the HPV Challenge program.

We further support Dow's proposal to use QSAR data to satisfy ecotoxicity and human health effects endpoints. This is a scientifically valid and thoughtful analysis of the toxicity of 3,6-dichloro-2-trichloromethylpyridine that adheres to EPA's recommendation that "participants should further consider whether any additional information obtained would be useful or relevant" before generating new information. Dow has indicated that workers, the public, and the environment are well protected from exposure to 3,6-dichloro-2-trichloromethylpyridine, making further testing of this compound unnecessary.

Thank you for your attention to these comments. I may be reached at 202-686-2210, ext. 327, or via e-mail at meven@pcrm.org.

Sincerely,

Megha Even, M.S.
Research Analyst

Chad B. Sandusky, Ph.D.
Director of Toxicology and Research